

*Filed*

Darrell Palmer (SBN 125147)  
 Janine R. Menhennet (SBN 163501)  
 Law Offices of Darrell Palmer  
 603 North Highway 101, Ste A  
 Solana Beach, California 92075  
 Telephone: (858) 792-5600  
 Facsimile: (858) 792-5655  
 Email: darrell.palmer@palmerlegalteam.com

**FILED**

2011 APR 26 P 3:51

RICHARD W. WIEKING  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

Attorney for Objectors Margaret Munoz and Cery Perle

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA**

*Mon*  
 VIVIAN FIORI ARIZA, ROGGIE TRUJILLO,  
 PAMELA NEWPORT, ROBERT DEAN, and  
 RAUL REYES

Case No. 09-CV-01518-JW

**NOTICE OF APPEAL**

Plaintiffs,

v.

DELL INC., a corporation; BANCTEC, INC., a  
 corporation; WORLDWIDE TECHSERVICES,  
 LLC, f/k/a QUALXSERV, LLC, an entity; DELL  
 CATALOG SALES, L.P., an entity; DELL  
 PRODUCTS, L.P., an entity; DELL  
 MARKETING L.P., an entity; DELL  
 MARKETING L.P., an entity; DEL USA, L.P., an  
 entity; and DOES 1 through 10,

Defendants.

Notice is hereby given that Margaret Munoz and Cery Perle, Objectors, hereby appeal to the  
 United States Court of Appeals for the Ninth Circuit from the Order Granting Final Approval of Class  
 Settlement and Entering Judgment [Doc. 216] entered in this action on April 1, 2011.

Dated: April 25, 2011

By: 

Darrell Palmer  
 Attorney for Objectors,  
 Margaret Munoz and Cery Perle

RULE 3-2 REPRESENTATION STATEMENT

Plaintiffs in this action, VIVIAN FIORI, VIVIAN FIORI ARIZA and ROGGIE TRUJILLO, are represented by the following counsel:

**Brian Russell Strange**  
**Gretchen Arlene Carpenter**  
Strange & Carpenter  
12100 Wilshire Boulevard, Suite 1900  
Los Angeles, CA 90025  
Phone: 310-207-5055  
Fax: 310-826-3210  
Email: [jhood@strangeandcarpenter.com](mailto:jhood@strangeandcarpenter.com)  
Email: [gcarpenter@strangeandcarpenter.com](mailto:gcarpenter@strangeandcarpenter.com)

**Randall Scot Rothschild**  
Attorney at Law  
12100 Wilshire Blvd #800  
Los Angeles, CA 90025  
Phone: 310-806-9245  
Fax: 310-988-2723  
Email: [randy.rothschild@verizon.net](mailto:randy.rothschild@verizon.net)

Defendant in this action, DELL, INC., is represented by the following counsel:

**Kristine McAlister Brown**  
**Matthew D. Richardson**  
ALSTON & BIRD LLP  
1201 West Peachtree Street  
Atlanta, Ga 30309  
Phone: (404) 881-7000  
Fax: (404) 881-7777  
Email: [matt.richardson@alston.com](mailto:matt.richardson@alston.com)

**Matt Frederick**  
Reeves & Brightwell LLP  
221 W. 6th St., Suite 1000  
Austin, TX 78701  
Phone: 512-334-4511  
Fax: 512-334-4492  
Email: [mfrederick@reevesbrightwell.com](mailto:mfrederick@reevesbrightwell.com)

1 **Paul Schlaud**

2 Reeves & Brightwell LLP  
3 221 W. Sixth Street, Suite 1000  
4 Austin, TX 78701-3410  
5 Phone: 512-334-4504  
6 Fax: 512-334-4492  
7 Email: pschlaud@reevesbrightwell.com

8 **Sean P DeBruine**

9 Alston + Bird LLP  
10 3000 El Camino Real, Suite 400  
11 Palo Alto, CA 94306  
12 Phone: 650-838-2000  
13 Fax: 650-838-2001  
14 Email: sean.debruine@alston.com

15 Defendant in this action, BANCTEC, INC., is represented by the following counsel:

16 **Michael Scott Blanton**

17 Roberts, Raspe & Blanton LLP  
18 445 S. Figueroa Street, Suite 3200  
19 Los Angeles, CA 90071  
20 Phone: 213-430-4777  
21 Fax: 213-430-4780  
22 Email: mblanton@rrblp.com

23 **Sean P DeBruine** (see address above)

24 Defendant in this action, DELL CATALOG SALES, L.P., is represented by the following  
25 counsel:

26 **Matt Frederick** (see above address)

27 **Paul Schlaud** (see above address)

28 **Sean P DeBruine** (see above address)

Defendant in this action, QUALXSERV, LLC, is represented by the following counsel:

**Michael Scott Blanton** (see above address)

**Sean P DeBruine** (see above address)

Defendants in this action, DELL PRODUCTS, LP, DELL MARKETING, L.P., DELL  
MARKETING, L.P., LLC, DELL MARKETING G.P., LLC, DELL SUA, L.P., are represented by the  
following counsel:

1 **Matt Frederick** (see above address)  
2 **Paul Schlaud** (see above address)  
3 **Sean P DeBruine** (see above address)

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1 **Fiori, et al. v. Dell, Inc., et al.**  
Case No. 5:09-cv-01518-JW

2 **DECLARATION OF SERVICE**  
3 **STATE OF CALIFORNIA, COUNTY OF SAN DIEGO**

4 I, Maria V. Carapia, declare as follows:

5 I am employed with the Law Offices of Darrell Palmer whose address is 603 N. Hwy  
101, Suite A, Solana Beach, California 92075. I am readily familiar with the business practices  
6 of this office for collection and processing of correspondence for mailing with the United States  
Postal Service; I am over the age of eighteen (18) and I am not a party to this action.

7 On April 25, 2011, I caused to be served the following:

8 **Notice of Appeal**

9 on the interested parties:

10 SEE ATTACHED SERVICE LIST

11 ☐ by placing a copy in an envelope addressed to the addressee as indicated above  
and personally serving on this day.

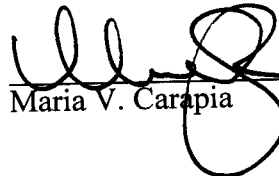
12 ☐ by sending a copy via overnight mail. Airbill No. \_\_\_\_\_.

13 ☐ by sending a true and correct copy via electronic mail transmission to the email  
14 addresses as indicated on the attached service list. My email address is  
maria.carapia@palmerlegalteam.com

15 ☒ by placing a copy in an envelope, with postage fully prepaid, for the addressees  
16 named on the attached service list for collection and mailing on the above  
indicated day following the ordinary business mailing practices of our offices

17 ☐ by sending a copy via facsimile transmission to the facsimile number listed for the  
18 addressees listed. The facsimile machine I used complied with California Rules  
of Court, Rule 2003, and no error was reported by machine.

19 I declare under penalty of perjury under the laws of the State of California that the  
20 foregoing is true and correct. Executed on April 25, 2011, at Solana Beach, California.

21  
22   
23 Maria V. Carapia  
24  
25  
26  
27  
28

DECLARATION OF SERVICE

**SERVICE LIST**

**Plaintiff**

**Vivian Fiori**

*on behalf of themselves  
and all other similarly  
situated*

*also known as*

**Vivian Fiori Ariza**

**Roggie Trujillo**

represented by **Brian Russell Strange**

**Gretchen Arlene Carpenter**

Strange & Carpenter

12100 Wilshire Boulevard, Suite 1900

Los Angeles, CA 90025

Phone: 310-207-5055

Fax: 310-826-3210

Email: jhood@strangeandcarpenter.com

Email: gcarpenter@strangeandcarpenter.com

**Randall Scot Rothschild**

Attorney at Law

12100 Wilshire Blvd #800

Los Angeles, CA 90025

Phone: 310-806-9245

Fax: 310-988-2723

Email: randy.rothschild@verizon.net

**Defendant**

**Dell, Inc,**

*a corporation*

represented by **Kristine McAlister Brown**

**Matthew D. Richardson**

ALSTON & BIRD LLP

1201 West Peachtree Street

Atlanta, Ga 30309

Phone: (404) 881-7000

Fax: (404) 881-7777

Email: matt.richardson@alston.com

**Matt Frederick**

Reeves & Brightwell LLP

221 W. 6th St., Suite 1000

Austin, TX 78701

Phone: 512-334-4511

Fax: 512-334-4492

Email: mfredrick@reevesbrightwell.com

**Paul Schlaud**

Reeves & Brightwell LLP

221 W. Sixth Street, Suite 1000

Austin, TX 78701-3410

Phone: 512-334-4504

Fax: 512-334-4492

Email: pschlaud@reevesbrightwell.com

**Sean P DeBruine**

Alston + Bird LLP  
3000 El Camino Real, Suite 400  
Palo Alto, CA 94306  
Phone: 650-838-2000  
Fax: 650-838-2001  
Email: sean.debruine@alston.com

**Defendant**

**BancTec, Inc.**  
*a corporation*

represented by **Michael Scott Blanton**  
Roberts, Raspe & Blanton LLP  
445 S. Figueroa Street, Suite 3200  
Los Angeles, CA 90071  
Phone: 213-430-4777  
Fax: 213-430-4780  
Email: mblanton@rrbllp.com

**Sean P DeBruine**

**Defendant**

**Dell Catalog Sales,**  
**L.P.,** *an entity*

represented by **Matt Frederick**  
**Paul Schlaud**  
**Sean P DeBruine**

**Defendant**

**QualXServ, LLC**  
*an entity*

represented by **Michael Scott Blanton**  
**Sean P DeBruine**

**Defendant**

**Dell Products, LP**  
*an entity*  
**Dell Marketing, L.P.**  
*an entity*  
**Dell Marketing, L.P.,**  
**LLC,** *an entity*  
**Dell Marketing G.P.,**  
**LLC,** *an entity*  
**Dell USA, L.P.**  
*an entity*

represented by **Matt Frederick**  
**Paul Schlaud**  
**Sean P DeBruine**